

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

Bracha Cab Corp.,

Debtor.

Chapter 11

Case No. 17-46613-nhl

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In re:

Dovber Cab Corp.,

Debtor.

Chapter 11

Case No. 17-46614-nhl

-----x
In re:

Dabri Trans Corp.,

Debtor.

Chapter 11

Case No. 17-46618-nhl

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In re:

Merab Cab Corp.,

Debtor.

Chapter 11

Case No. 17-46619-nhl

-----x
In re:

Fit Taxi Corp.,

Debtor.

Chapter 11

Case No. 17-46620-nhl

-----x
In re:

Jarub Trans Corp.,

Debtor.

Chapter 11

Case No. 17-46639-nhl

-----x
In re:

Somyash Taxi Corp.,

Debtor.

Chapter 11

Case No. 17-46640-nhl

-----x
In re:

NY Canteen Taxi Corp.,

Debtor.

Chapter 11

Case No. 17-46644-nhl

-----x
In re:

Lechaim Cab Corp.,

Debtor.

Chapter 11

Case No. 17-46647-nhl

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

-----x
In re:

Tamar Cab Corp.,

Chapter 11

Debtor.

Case No. 17-46616-nhl

-----x
In re:

NY Genesis Taxi Corp.,

Chapter 11

Debtor.

Case No. 17-46617-nhl

-----x
In re:

NY Tint Taxi Corp.,

Chapter 11

Debtor.

Case No. 17-46641-nhl

-----x
In re:

NY Stance Taxi Corp.,

Chapter 11

Debtor.

Case No. 17-46642-nhl

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In re:

NY Energy Taxi Corp.,

Chapter 11

Debtor.

Case No. 17-46645-nhl

-----x
In re:

Jackhel Cab Corp.,

Chapter 11

Debtor.

Case No. 17-46646-nhl

DEBTOR'S MOTION FOR JOINT ADMINISTRATION

PLEASE TAKE NOTICE that upon the annexed application of Bracha Cab Corp., Fovber Cab Corp., Dabri Trans Corp., Merab Cab Corp., Fit Taxi Corp., Jarub Trans Corp., Somyash Taxi Corp., NY Canteen Taxi Corp., Lechaim Cab Corp., Tamar Cab Corp., NY Genesis Taxi Corp., NY Tint Taxi Corp., NY Stance Taxi Corp., NY Energy Taxi Corp., Jackhel Cab Corp., debtors and debtors and debtor-in-possession, ("Debtors"), by Rosenberg, Musso & Weiner, LLP, its attorneys, a motion will be made before Honorable Nancy Hershey Lord, United States Bankruptcy Judge, at the United States

Bankruptcy Court, 271 Cadman Plaza East, Brooklyn, New York, Courtroom 3577, on January 4, 2018 at 11:45 a.m., or as soon thereafter as counsel can be heard, for an order pursuant to Section 101(2) of the Bankruptcy Code and Federal Rule of Bankruptcy Procedure 1015(b) directing the joint administration of these chapter 11 cases, together with such other and further relief as may be deemed just and proper in the premises.

PLEASE TAKE FURTHER NOTICE that any responses or objections to the Motion shall be in writing, shall conform to the Federal Rules of Bankruptcy Procedure and the Local Bankruptcy Rules of the Eastern District of New York, and must be filed on or before December 28, 2017 with the Clerk of the Bankruptcy Court (with a copy to Chambers). Parties with legal representation shall file any responses or objections with the court: (a) (i) through the Bankruptcy Court's electronic filing system (in accordance with General Order M-182) which may be accessed through the internet at <https://ecf.nyeb.uscourts.gov> and (ii) in portable document format (PDF) using Adobe Exchange software for conversion, or (b) if a party is unable to file electronically, such party shall submit the response or objection in PDF format on a diskette in an envelope with the case name, case number and title of document: or (c) if a party is unable to file electronically or use PDF format, such party shall submit the response or objection on a diskette in either Word, Word Perfect, or DOS text (ASCII) format. A response or objection filed by a party with no legal representation shall comply with section (b) or (c) as set forth above. All responses or objections shall further be served upon (i) the attorneys for the Debtors, Rosenberg, Musso & Weiner, Counsel for Debtor, 26 Court Street, Suite 2211, Brooklyn, NY 11242, (Att: Bruce Weiner, A Member of the Firm) and (ii) the Office of the United States Trustee, 201 Varick Street, Suite 1006, New York, New York 10014, so as to be actually received no later than 12:00 p.m. (EDT) on December 28, 2017.

Dated: Brooklyn, New York
December 15, 2017

Rosenberg, Musso & Weiner, LLP
Attorneys for Debtor and Debtor-in-Possession

By: /s/

Bruce Weiner
26 Court St., Suite 2211
Brooklyn, New York 11242
(718) 855-6840

TO:

Office of the U.S. Trustee

All creditors and parties in interest

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

Bracha Cab Corp.,

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Case No. 17-46647-nhl

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

Tamar Cab Corp.,

Chapter 11

Debtor.

Case No. 17-46616-nhl

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In re:

NY Genesis Taxi Corp.,

Chapter 11

Debtor.

Case No. 17-46617-nhl

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In re:

NY Tint Taxi Corp.,

Chapter 11

Debtor.

Case No. 17-46641-nhl

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In re:

NY Stance Taxi Corp.,

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Case No. 17-46642-nhl

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In re:

NY Energy Taxi Corp.,

Chapter 11

Debtor.

Case No. 17-46645-nhl

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In re:

Jackhel Cab Corp.,

Chapter 11

Debtor.

Case No. 17-46646-nhl

DEBTOR'S APPLICATION FOR ENTRY OF AN ORDER DIRECTING
JOINT ADMINISTRATION OF THEIR RELATED CHAPTER 11 CASES

Bracha Cab Corp., Fovber Cab Corp., Dabri Trans Corp., Merab Cab Corp., Fit Taxi Corp.,

Jarub Trans Corp., Somyash Taxi Corp., NY Canteen Taxi Corp., Lechaim Cab Corp., Tamar Cab

Corp., NY Genesis Taxi Corp., NY Tint Taxi Corp., NY Stance Taxi Corp., NY Energy Taxi Corp.,

Jackhel Cab Corp. debtors and debtors and debtor-in-possession, ("Debtors"), respectfully represent:

Background

1. The Debtors operate 15 related businesses at 1281 Carroll Street, Brooklyn, New York that together own 35 taxi medallions. Esma Elberg is the sole shareholder of all the businesses.

Jurisdiction

2. The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§157 and 1334.

This matter is a core proceeding within the meaning of 28 U.S.C. §157(b)(2)

3. Venue is proper in this District pursuant to 28 U.S.C. §1408.

4. The basis for the relief requested herein are section 101(2) of the Bankruptcy Code and Rule 1015(b) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”).

Relief Requested

5. By this motion, the Debtors request entry of an order, substantially in the form attached hereto as Exhibit A (the “Order”), directing joint administration of these chapter 11 cases for procedural purposes only. The Debtors request that this Court maintain one file and one docket for all of the jointly administered cases under the case number assigned to Bracha Cab Corp., and that these cases be administered under the following consolidated caption:

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

In re:

Bracha Cab Corp., et al,

Debtors.

Chapter 11

Case 17-46613-nhl

Jointly Administered

6. The Debtors also request than an entry be made on the docket of each of the Debtors’ chapter 11 cases, that is substantially similar to the following:

An order has been entered in accordance with Rule 1015(b) of the Federal Rules of Bankruptcy Procedure directing the joint administration of the chapter 11 cases of Bracha Cab Corp., Fovber Cab Corp., Dabri Trans Corp., Merab Cab Corp., Fit Taxi Corp., Jarub Trans Corp., Somyash Taxi Corp., NY Canteen Taxi Corp., Lechaim Cab Corp., Tamar Cab Corp., NY Genesis Taxi Corp., NY Tint Taxi Corp., NY Stance Taxi Corp., NY Energy Taxi Corp., Jackhel Cab Corp. All further pleadings and other papers shall be filed in, and all further docket entries shall be made in, Case No. 17-46613-nhl.

Basis for Relief

7. The Debtors have common ownership and control. Management personnel are the same for all the Debtors. The Debtors have no employees and the only income comes from three separate management companies that operate the medallions and give the Debtors the profits, less management fees. Further, the only creditor in each case is the same creditor, Capital One Equipment Financial Corp., which is secured by the medallions.

Supporting Authority

8. Bankruptcy Rule 1015(b) provides that if “two or more petitions are pending in the same court by or against . . . a debtor and an affiliate, the court may order a joint administration of the estates.”

9. The 15 Debtors in these chapter 11 cases are “affiliates” as that term is defined in section 101(2) of the Bankruptcy Code. Specifically, Esma Elberg is the sole owner of all of the Debtors.

10. Moreover, joint administration of these chapter 11 cases will reduce fees and costs by avoiding duplicated filings, objections and hearings, and will also allow the United States Trustee and all parties in interest to monitor these chapter 11 cases with greater ease and efficiency. Furthermore, joint administration will not adversely affect the Debtors’ respective constituencies because the motion requests only administrative, not substantive, consolidation of the Debtors’ estates. For example, any creditor may still file a claim against a particular Debtor or its estate (or against multiple Debtors and their respective estates), intercompany claims among the Debtors will

be preserved and the Debtors will maintain separate records of assets and liabilities. Parties in interest will therefore not be harmed by the relief requested, but, instead, will benefit from the cost savings associated with the joint administration of these chapter 11 cases. Accordingly, the Debtors submit that the joint administration of these chapter 11 cases is in the best interests of their estates, their creditors and all other parties in interest.

11. Joint administration of interrelated chapter 11 cases is routinely approved by courts in this jurisdiction under similar circumstances and is generally non-controversial. *See, e.g., In re The Brown Publishing Co.*, Case No. 10-73295 (AST) (Bankr. E.D.N.Y. May 5, 2010); *In re Changing World Technologies, Inc.*, Case No. 09-71487 (AST) (Bankr. E.D.N.Y. Apr. 16, 2009); *In re Caritas Health Care, Inc.*, Case No. 09-40901 (CEC) (Bankr. E.D.N.Y. Feb. 10, 2009); *In re the Brooklyn Hospital Center*, Case No. 05-26990 (CEC) (Bankr. E.D.N.Y. Sept. 30, 2005).

12. The Debtors will serve this motion on the United States Trustee and all creditors and parties in interest.

13. A proposed order is annexed as Exhibit A.

14. No prior motion for the relief requested herein has been made to this or any other court.

WHEREFORE, for the reasons set forth herein, the Debtors respectfully request entry of the Order granting the relief requested herein and such other relief as may be appropriate under the circumstances.

Dated: Brooklyn, New York
December 15, 2017

Rosenberg, Musso & Weiner, LLP
Attorneys for Debtors and Debtors in Possession

/s/
Bruce Weiner
26 Court Street, Suite 2211
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Tel. (718) 855-6840